

MEPA/NEPA/HB495 CHECKLIST:
Aunt Molly WMA and Blackfoot River Ranch
Cooperative Habitat Management Agreement

PART I. PROPOSED ACTION DESCRIPTION

1. Type of Proposed State Action

Montana Fish, Wildlife & Parks (FWP) proposes to renew a Cooperative Habitat Management Agreement with the Blackfoot River Ranch (BRR, Lessee) that was successfully implemented between 2006 and 2012. This renewed Agreement would continue to introduce limited cattle grazing by the BRR upon approximately 354 acres of historically cultivated land on FWP's Aunt Molly Wildlife Management Area (WMA, located between Ovando and Helmville in Powell County), thus improving fall re-growth and winter forage quality for elk and deer.

In exchange, the BRR would adhere to a FWP-prescribed rest-rotation grazing management plan on both FWP pastures and approximately 640 acres of BRR's nearby private native rangeland. These private pastures provide important native elk and deer winter range. The landowners also allow public fall hunting access to the property.

The FWP Habitat Bureau monitored the previous lease (2006-2012) including field inspections and vegetation assessments. FWP has documented the Lessee's compliance with prescribed grazing plans, proactive weed treatment of leased lands, and a general improvement of habitat quality on both FWP and involved private land. FWP has received no reports of conflicts between the Lessee (or its livestock) and recreational users of the WMA. The winter range on and public hunting access to the private land included in the past lease (and similarly proposed here) are highly valued by the public.

2. Agency Authority for the Proposed Action

FWP purchased a 1,184-acre portion of the T.B.M. Ranch and established the Aunt Molly WMA in 1979. Montana Code Annotated (MCA) authorizes FWP to acquire and operate land and to enter into leases: *The department may develop, operate, and maintain acquired lands or waters: . . . (b) as land or water suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection* (§ 87-1-209(2), MCA). *The department is authorized to enter into leases of land under its control in exchange for services to be provided by the lessee on the leased land* (§ 87-1-209(7), MCA).

3. Name of Project

Aunt Molly WMA-Blackfoot River Ranch Cooperative Habitat Management Agreement

4. Name, Address and Phone Number of Project Sponsor (if other than the agency)

Montana Fish, Wildlife, & Parks, Region 2, PO Box 1288, Seeley Lake, MT 59868 (phone 406-210-9830), Attn: Jay Kolbe

5. If Applicable:

Estimated Construction/Commencement Date: 6/1/2013

Estimated Completion Date: 10/15/2018

Current Status of Project Design: (100% complete)

6. Location Affected by Proposed Action (county, township, range and section/s)

FWP lands affected are described as follows:

Powell County, T13N, R11W, Section 8, NW ¼ (Partial), SW ¼, SE ¼

Leases lands encompass 354.3 acres in total.

Blackfoot River Ranch lands affected are described as follows:

Powell County, T13N, R11W, Section 1 (entire)

7. Project Size: Estimate the number of acres that would be directly affected:

354 acres on FWP, 640 acres on the BRR

8. Map/site plan: attach an original 8" x 11" or larger section of the most recent USGS 7.5-minute series topographic map showing location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached. See Figure 1 and Appendix A.

9. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.

Blackfoot River Ranch pastures 1(a,b) and 2(a,b) are comprised of native sagebrush grasslands (Figure 1 and Appendix A). Pasture 3(a, b) on the Aunt Molly WMA contain primarily non-native warm season grasses. The subject lands were managed under a FWP grazing lease and rotational grazing system between 2006 and 2012. Renewing this rest-rotation grazing system, including both private and FWP lands on the Aunt Molly WMA would continue to enhance valuable fall/winter forage for elk and deer on FWP land and maintain high quality habitat for elk and deer and other wildlife on neighboring private land. The private lands incorporated into this lease agreement currently support 150-200 elk during winter and spring. The BRR provides fall public hunting access to lands subject to this proposal.

Rental is calculated on the basis of 53 AUMs (50 cow-calf pairs, 2 bulls) on FWP land at \$20.40 per AUM = \$1,081. The Lessee has agreed to a moderate stocking rate, well below their land's domestic livestock carrying capacity (as determined by a USDA Natural Resources Conservation Service [NRCS] range analysis conducted 2005-2006) to allow for greater retained forage and cover for elk and other wildlife. Services in consideration of this rental are adherence to the Grazing Plan on the Lessee's native range pastures (640 acres) and responsibility for annual fence maintenance and repair on the Aunt Molly WMA pastures 3a and 3b (354.3 acres). All range improvements are in place and the improvements on the BRR, including water development, are new.

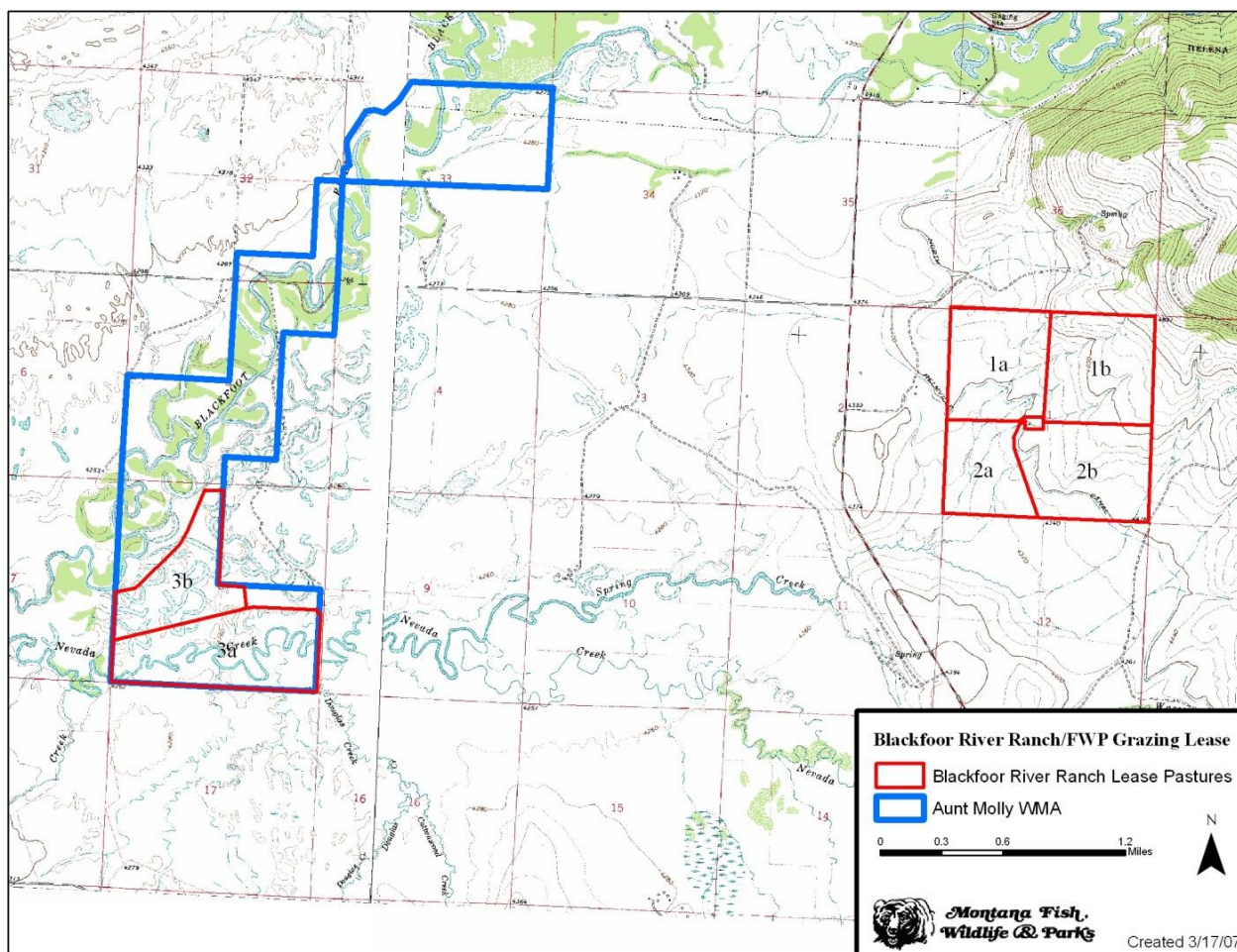


Figure 1. Topographic map with pastures delineated on FWP's Aunt Molly WMA and on the Blackfoot River Ranch.

The agreed upon rest-rotation grazing system (Developed by K. Johnson, FWP):

Year	<u>Blackfoot River Ranch</u>		<u>Aunt Molly WMA</u>
	Pasture 1a, 1b	Pasture 2a, 2b	Pasture 3a, 3b
2013	B*	A	C
2014	C	B	A
2015	A	C	B
2016	B	A	C
2017	C	B	A
2018	A	C	B

*A = Livestock grazing from May 1-July 31, B = Livestock grazing August 1-September 15, C = rest from livestock grazing for the entire year.

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits:

Agency Name	Permit	Date Filed/#
--------------------	---------------	---------------------

N/A

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
---------------------------	------------------------------

N/A

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
---------------------------	--------------------------------------

US Fish and Wildlife Service--FWP is accountable to the Service to ensure that management practices on properties acquired with Federal Aid are compatible with the purpose for the acquisition; i.e., to provide elk winter habitat.

11. List of Agencies Consulted During Preparation of the EA:

N/A

PART II. ENVIRONMENTAL REVIEW

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		x				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			x			1.b
c. Destruction, covering or modification of any unique geologic or physical features?		x				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			x			1.d
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		x				
f. Other (list)		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

1.b, 1.d. The introduction of cattle to a 354-acre pasture of the Aunt Molly WMA may compact soil in areas of heavy use such as watering sites. These pastures on the WMA were historically cultivated and heavily grazed and little additional resource modification is expected under the terms of the proposed action. The maintenance of periodic growing-season rest on the adjacent BRR lands is expected to continue to reduce soil compaction and erosion variably across 640 acres of adjacent private land, as a result of continued reduced grazing pressure.

2. <u>AIR</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		x				
b. Creation of objectionable odors?		x				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		x				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		x				
e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		x				
f. Other		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

3. <u>WATER</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
I. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

3. Nevada Creek runs through one of the Aunt Molly WMA sub-pastures. Although cattle would have access to the creek channel, stocking rates would be significantly lower than historic levels and no additional degradation of the stream bank is expected. In response to FWP, other agency, and private landowner stream restoration efforts, the water quality in Nevada Creek has markedly improved in recent years under a similar grazing system administered by FWP on the project lands. Under the terms of the proposed action, grazing would occur for short durations alternated with periods of prolonged rest; we expect water quality to continue to improve.

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		x				
b. Alteration of a plant community? c. Adverse effects on any unique, rare, threatened, or endangered species?		x	x			4.b
d. Reduction in acreage or productivity of any agricultural land?		x				
e. Establishment or spread of noxious weeds?		x				
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		x				
g. Other:		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4.b. The introduction of cattle to a 354-acre pasture on Aunt Molly WMA may alter vegetation on sites with concentrated cattle use. Impacts would be mitigated by frequent movement of cattle among sub pastures, placement of salt blocks away from water, and maintaining a low stocking rate. The addition of periodic rest from grazing on the nearby BRR is expected to gradually increase the abundance and productivity of native plants variably across 640 acres of adjacent private land, as a result of reduced grazing pressure.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		x				
b. Changes in the diversity or abundance of game animals or bird species?		x				
c. Changes in the diversity or abundance of nongame species?		x				
d. Introduction of new species into an area?		x				
e. Creation of a barrier to the migration or movement of animals?		x				
f. Adverse effects on any unique, rare, threatened, or endangered species?		x				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		x				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		x				
I. <input type="checkbox"/> For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		x				
j. Other:		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

5. All pasture fence needed to ensure successful grazing rotation already exists and the project would create no new barriers to wildlife movement. The project is expected to improve spring/fall re-growth on FWP lands and significantly improve native rangeland condition on adjacent private lands. Grizzly bears, gray wolves, and bald eagles are routinely observed on lands subject to this proposal but no adverse impacts to these species are expected as a result of its implementation.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		x				
b. Alteration of the social structure of a community?		x				
c. Alteration of the level or distribution of employment or community or personal income?			x			
d. Changes in industrial or commercial activity?			x			
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		x				
f. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

The action would provide the BRR additional pasture on FWP lands and improved range condition on Ranch lands resulting in an economic/commercial benefit to the Lessees and their staff.

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		x				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		x				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		x				
d. Will the proposed action result in increased used of any energy source?		x				
e. Define projected revenue sources		x				
f. Define projected maintenance costs.		x				
g. Other:		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10. Grazing fees are to be exchanged for services in-kind; no FWP monies are to be expended or generated.

•

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X			
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				
d. <u>For P-R/D-J</u> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

11. Cattle would be seasonally present on the Aunt Molly WMA. However, livestock would be removed prior to fall hunting season (the period of highest use of upland areas), and due to the rotation schedule, not present on the WMA during the majority of the summer period. No conflicts between cattle or lease-related activities and the recreating public were reported during the previous 6-year lease period.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed): .

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		x				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		x				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		x				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		x				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		x				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		x				
g. For P-R/D-J, list any federal or state permits required.		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

PART II. ENVIRONMENTAL REVIEW (continued)

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

The proposed stocking levels and grazing system were prepared and approved by FWP range management specialists. The only reasonable alternative would be “No action.” If the no action alternative were to be selected, the grazing lease with BRR would not be renewed, and FWP would not obtain benefits such as improved fall re-growth and winter forage quality for elk and deer on the WMA as well as improved range condition on private pastures that provide important native elk and deer winter range.

Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

Lease would be monitored by FWP wildlife biologists and potentially terminated if its terms were to be violated by Lessee.

PART III. NARRATIVE EVALUATION AND COMMENT

FWP analysis of this proposal benefits from 6 years experience implementing and monitoring an exchange of use lease involving the same cooperators, lands, and grazing management plan (2006 – 2012). During that time, range condition on both FWP and private lands subject to this proposal has improved, no conflicts between livestock and recreational users of the WMA have been reported, and the public has benefited from the big game winter range and hunting access provided on BRR lands.

FWP believes that renewing the lease, as proposed, would further improve wildlife habitat quality and quantity on both public and private lands, maintain important public-private habitat management partnerships, and help preserve important public hunting access to important private lands in the Helmville Valley. FWP believes that there would be no significant negative effects to implementing this proposed grazing lease.

PART IV. NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

**Based on the significance criteria evaluated in this EA, is an EIS required? Yes or No?
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:**

No. Based upon the checklist EA, which has identified a limited number of minor impacts from the proposed action and no significant negative impacts, an EIS is not required and an environmental assessment is the appropriate level of review.

PART V. PUBLIC PARTICIPATION

Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

FWP consulted with the USFWS, adjacent landowners, and FWP range specialists when evaluating the performance of the previous 6-year lease and while considering this proposed renewal. All parties noted the significant improvement of range condition on both FWP and subject private lands. FWP has received no complaints of conflicts between Lessees or livestock and the recreating public on the WMA during the past six years. The public hunting access provided by the BRR on private land subject to this proposal continues to be highly valued.

The public will be notified in the following manners to comment on this current EA, the proposed action and alternative:

- One statewide press release, which also will be posted on FWP's website <http://fwp.mt.gov> ("News," then "News Releases");
- One legal notice in each of these newspapers: *Blackfoot Valley Dispatch* (Lincoln), *Independent Record* (Helena), *Missoulian*, *Seeley Swan Pathfinder*, and *Silver State Post* (Deer Lodge);
- Direct mailing or email notification to landowners and interested parties (individuals, groups, agencies);
- Public notice on the FWP web page: <http://fwp.mt.gov> ("Submit Public Comments," then "FWP Lands," then "Acquisitions, Trades & Leases") where comments may be submitted.

Copies of this draft environmental assessment may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing fwprg22@mt.gov; or by viewing FWP's Internet website <http://fwp.mt.gov> ("Recent Public Notices," beginning April 10).

Comments may be made online on the EA's webpage or may be directed by mail to the FWP address above or by email to shrose@mt.gov. Comments must be received by FWP no later than 5:00 p.m. on May 3, 2013.

Given the local focus and relative simplicity of this proposed action, a minimum 21-day public comment period and subsequent Commission action are appropriate.

PART VI. EA PREPARATION

Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Jay Kolbe
PO Box 1288
Seeley Lake, MT 59868
406-210-9830